

---

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

---

MILLROCK INVESTMENT FUND 1, LLC,

Plaintiff,

v.

HEALTHCARE SOLUTIONS  
MANAGEMENT GROUP, INC.;  
HEALTHCARE SOLUTIONS HOLDINGS  
INC.; LANDES CAPITAL MANAGEMENT,  
LLC; LANDES AND COMPAGNIE TRUST  
PRIVE KB; JOSHUA CONSTANTIN;  
JUSTIN SMITH; STUART MCMAHEN;  
and BLACK LABEL SERVICES, INC.,

Defendants.

**SECOND AMENDED SCHEDULING  
ORDER**

Case No. 2:23-cv-00157

Chief District Judge Robert J. Shelby

Magistrate Judge Daphne A. Oberg

---

Plaintiff Millrock Investment Fund 1, LLC has filed a motion for amended scheduling order,<sup>1</sup> seeking a six-month extension of fact discovery and subsequent deadlines. Defendants Justin Smith and Stuart McMahan stipulated to the motion, and no other party has filed a response.

Plaintiff's motion is GRANTED IN PART. The court finds good cause for a four-month extension of fact discovery and subsequent deadlines, as set forth below. If further extensions become necessary, the parties may file a motion explaining why these deadlines cannot be met despite their diligent efforts. The parties are reminded

---

<sup>1</sup> (Doc. No. 147.)

that extensions which would result in a trial more than three years after this case was filed are unlikely to be granted.<sup>2</sup>

The case schedule is amended as follows:

1. The deadline to serve written discovery is extended to April 16, 2024.
2. The close of fact discovery is extended to May 16, 2025.
3. The deadlines for Rule 26(a)(2) expert disclosures (subject and identity of experts) are extended to:
  - a. Party(ies) bearing burden of proof: May 16, 2025; and
  - b. Counter disclosures: June 18, 2025.
4. The deadlines for Rule 26(a)(2) expert reports are extended to:
  - a. Party(ies) bearing burden of proof: July 3, 2025; and
  - b. Counter reports: August 1, 2025.
5. The last day for expert discovery is extended to September 5, 2025.
6. The deadline for filing dispositive or potentially dispositive motions is extended to October 20, 2025.
7. The deadline for filing partial or complete motions to exclude expert testimony is extended to October 20, 2025.

---

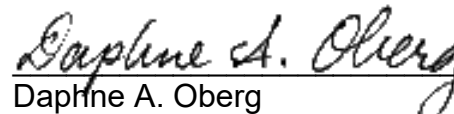
<sup>2</sup> See Civil Case Scheduling and Discovery Plan, available at <https://www.utd.uscourts.gov/civil-case-scheduling> ("If the [scheduling order] amendment would cause the case to be pending for more than three years from the date it was commenced, the motion may be denied or the judge may schedule a hearing to determine whether good cause or excusable neglect exist before amending the scheduling order.").

8. The deadline for filing a request for a scheduling conference with the district judge for the purpose of setting a trial date if no dispositive motions are filed is extended to October 27, 2025.

9. The deadline to evaluate this case for settlement/ADR is extended to May 16, 2025.

DATED this 3rd day of January, 2025.

BY THE COURT:

  
Daphne A. Oberg  
United States Magistrate Judge